

**FACT SHEET - Revised**  
**GENERAL PERMIT FOR**  
**STORMWATER RUNOFF FROM CONSTRUCTION ACTIVITIES**  
REVISED FACT SHEET DUE TO MODIFICATIONS MADE AFTER PUBLIC NOTICE

GENERAL PERMIT NO.: S-MCST-0312-1

DATE: March 2, 2012

PREPARED BY: Joe Mester, P.E.

ISSUANCE ACTION:

The Kansas Department of Health and Environment (KDHE) has issued a combined Kansas Water Pollution Control general stormwater permit and National Pollutant Discharge Elimination System (NPDES) general stormwater permit for construction activities. The issuance action consists of the re-issuance of the Stormwater Runoff from Construction Activities general permit with various modifications. This permit replaces the current general permit for stormwater discharges from construction activities which remained in effect through March 1, 2012 after which this successor general permit was issued (*successor general permit issued March 2, 2012*).

Coverage under this NPDES general permit authorizes the discharge of stormwater runoff from construction activities for sites where the discharge point is located in Kansas and for discharges and construction activities that are conducted in accordance with the provisions and requirements of this permit and in accordance with the site specific stormwater pollution prevention plan from the date of Authorization until the site is stabilized and the construction stormwater discharge Notice of Termination (NOT) is accepted by KDHE or the permit is revoked/terminated for cause by KDHE.

Major provisions are summarized below and include the addition to the current KDHE construction stormwater general permit of requirements of EPA's Construction and Development effluent guideline standard (40 CFR 450) in effect at the time this NPDES general permit is issued and various wording changes to clarify permit requirements. A listing of the changes made to the public noticed permit prior to issuance is included at the end of this document.

RECEIVING STREAM:

The receiving streams are all surface waters of the State of Kansas except; when the discharge is located on Indian Country Lands or when construction activities occur within one-half stream mile from a Critical Water Quality Management Area; an Exceptional State Water; an Outstanding National Resource Water; or a Special Aquatic Life Use Water unless specifically allowed.

AUTHORIZED ACTIVITY DESCRIPTION:

Coverage under the NPDES general permit authorizes discharges of stormwater from construction activities (e.g. clearing, grubbing, excavating, grading, etc.) which disturb a cumulative total of one (1.0) acre or more or that are part of a larger common plan of development or sale which will disturb a cumulative total of one (1.0) acre or more.

Owners or operators of construction activities which disturb less than one acre (<1.0 acres), and which are not part of larger common plan of development or sale, must have authorization to discharge stormwater runoff from construction activities under this general NPDES permit when KDHE believes the water quality impact warrants consideration, when contaminated soils will be disturbed, or when KDHE determines the construction activities constitute a significant pollution potential.

Owners or operators who received authorization to discharge under the previous Stormwater Runoff from Construction Activities General Permit S-MCST-0701-1, may continue to operate under those permit provisions, conditions, requirements, limits, site specific authorized Best Management Practices (BMPs), and site specific authorized Stormwater Pollution Prevention Plan (SWP2 Plan) until 18 months after this NPDES

general permit issuance. If by 18 months after this NPDES general permit issuance all construction activities authorized by General Permit S-MCST-0701-1 have not been completed, the construction site stabilized, a Notice of Termination (NOT) completed and submitted in conformance with the permit requirements and the Notice of Termination approved by KDHE, the permittee shall amend the current SWP2 Plan, implement the amended SWP2 Plan, and install appropriate BMPs in conformance with all permit provisions, conditions, requirements, and limits as established in this NPDES general permit (General Permit No. S-MCST-0312-1) on or before the end of this 18 month period of time.

New dischargers or existing unpermitted dischargers, in regard to antidegradation, are eligible for authorization under this general permit to discharge to a Tier 1, 2, or 2½ Water only if the discharge will not lower the water quality of the applicable water. In the absence of information demonstrating otherwise, KDHE expects that development, installation, operation, appropriate maintenance of site specific BMPs and the SWP2 Plan as well as compliance with the provisions, conditions, requirements, and limits of this general permit will result in discharges that will not lower the water quality of the receiving stream.

Proposed new or existing unpermitted construction stormwater dischargers that will discharge directly into Tier 3 waters (Outstanding National Resource Waters) are, in regard to antidegradation, considered temporary discharges and eligible for authorization under this general permit to discharge stormwater from construction activities but only if the discharge will not lower the water quality of the receiving water, all enhanced (significantly better and more reliable) levels of controls and best management practices are evaluated and implemented to minimize off-site migration of sediments or other pollutants. In the absence of information demonstrating otherwise, KDHE expects that development, installation, operation, appropriate maintenance of enhanced site specific BMPs and the SWP2 Plan as well as compliance with the provisions, conditions, requirements, and limits of this general permit will result in discharges that will not lower the water quality of the receiving surface water and provide the highest protection reasonably available.

This permit also authorizes stormwater discharges from soil disturbing activities in response to a public emergency (e.g., tornado, hurricane earth quake, flood, ice storm) where the related work requires immediate soil disturbance to avoid imminent endangerment to the public health or the environment without formal submittal and authorization by KDHE if the owner or operator implements soil erosion and sediment control as soon as possible after the emergency conditions have been resolved and a Notice of Intent application form for coverage under this permit is submitted within 30 days after the start of emergency soil disturbing activities showing the areas disturbed and the soil and erosion controls provided.

Non-stormwater discharges from construction sites authorized under the general permit are also allowed such as flushing water hydrants and potable water lines; rinsing streets or structures without cleansers, detergents, solvents or additives; irrigation water to establish vegetation, and discharges of uncontaminated groundwater.

#### UNAUTHORIZED ACTIVITY DESCRIPTION:

The general NPDES permit does not authorize stormwater discharges from the following construction activities:

1. A discharge of stormwater runoff from construction activities which violates the provisions of this NPDES general permit;
2. Construction activities on sites within Kansas which are located on Indian Country lands;
3. Construction activities which may discharge stormwater runoff one-half stream mile or less from a Critical Water Quality Management Area; an Exceptional State Water; a Special Aquatic Life Use Water; or directly to an Outstanding National Resource Water unless KDHE specifically grants coverage by this NPDES general permit;
4. Construction activities that result in the discharge of stormwater runoff which violates the Kansas Surface Water Quality Standards;

5. Construction activities that result in the discharge of stormwater runoff which violates the applicable requirements of a Municipal Separate Storm Sewer program or local stormwater pollution prevention program;
6. Construction activities that may adversely affect threatened or endangered species as listed in K.A.R. 115-15-1 et seq. unless the Kansas Department of Wildlife, Parks and Tourism (KDWP&T) has been specifically consulted with;
7. Construction activities that may affect any identified archeological sites or historic sites listed or eligible for listing on the National Register of Historic Places unless the Kansas Historical Society (KSHS) has been specifically consulted with;
8. Projects that are exempt under the Oil & Gas Exemption. However, if coverage under the NPDES general permit is requested, an Authorization will be issued and permit requirements will be enforced. However, dewatering discharges (e.g., well point or groundwater dewatering wells) and trench dewatering from groundwater infiltration are not exempt activities under the Oil and Gas Exemption and require KDHE approval, permitting, or authorization under the NPDES general permit. KDHE will review discharges based on management by appropriate controls, discharge quality and quantity, and proposed location of the discharge to determine the need for approval or permitting requirements on a case-by-case basis. Acceptable discharges of uncontaminated groundwater dewatering shall meet Kansas Surface Water Quality Standards, control sediment from trench dewatering of groundwater infiltration by employing bag filters or equivalent technology, and prevent down gradient scouring and soil erosion.
9. Agricultural construction activities are generally exempt unless construction activities are associated with a drainage structure which drains an area that exceeds the definition of a stream as defined by the Kansas Department of Agriculture under K.A.R. 5-45-1(t);
10. The discharge of stormwater from sites where construction activities resulting in the disturbance of one or more acres or are a part of a common plan of development or sale which may disturb a cumulative total of one or more acres where a discharge is directed to an "impaired water" where the impairment is for total suspended solids, nitrogen, or phosphorous or a waterbody for which KDHE has developed, and EPA has approved, a Total Maximum Daily Load (TMDL) for total suspended solids, nitrogen, or phosphorous. Authorization for coverage under this general permit will only be granted if the stormwater discharge will not cause or contribute to a violation of surface water quality standards and the permittee implements, operates, and maintains appropriate BMPs, erosion and sediment control measures, and complies with all provisions of this NPDES general permit. In the absence of information demonstrating otherwise, KDHE expects that compliance with the provisions, conditions, and limits in this general permit will result in stormwater discharges being controlled, as necessary, to meet applicable water quality standards and satisfy current provisions in Kansas developed and EPA approved TMDLs directed at total suspended solids and indirectly address releases associated with nitrogen and phosphorus. Per the Kansas TMDLs addressing total suspended solids, KDHE reviews of erosion and sediment control plans, BMPs, and the SWP2 Plans will concentrate on trying to protect and maintain buffers and vegetative filter strips along and immediately adjacent to streams and lakes and to minimize road and bridge construction impacts on streams. In accordance with the provisions of the TMDLs, KDHE will also concentrate on trying to identify projects operating without an NPDES permit and projects which do not employ effective erosion and sediment control techniques. KDHE may impose additional water-quality based limitations on a site-specific basis or require coverage under an NPDES individual permit if the NOI and associated materials, submitted reports, site inspections conducted by KDHE or EPA, or information obtained from other sources indicate that stormwater discharges from the site are not controlled as necessary to meet applicable water quality standards or the provisions of a specific TMDL for the waterbody receiving the discharge.

11. Discharges of water mixed with non-stormwater discharges, unless they are listed as allowable non-stormwater discharges in Part 2 of the permit or are determined by KDHE as not requiring authorization;
12. Discharges of fill or dredged materials regulated by part 401 or 404 of the Clean Water Act unless permits under 401 or 404 so stipulate;
13. Stormwater discharges associated with construction activities that have been covered under an individual permit or a different NPDES general permit, unless authorized by KDHE Bureau of Water;
14. Stormwater and/or allowable non-stormwater discharges associated with construction activities that are discharged to a combined sewer system; and
15. The modification of stormwater drainage (the routing of flows or the change in quantity of flow) onto or across private property.

The general permit also does not authorize any other discharge of sewage, pollutants or wastewater to waters of the State including for example:

- Hazardous substances or oil from an on-site spill or improper handling and disposal practices;
- Wash and/or rinse waters from concrete mixing equipment including ready mix concrete trucks;
- Wastewater generated from wet air pollution control equipment for asphalt plants, or the containment of scrubber water in lined ponds;
- Contaminated groundwater;
- Wastewater from washout and clean out of stucco, paint, form release oils, curing compounds and other construction materials;
- Fuels, oils, or other pollutants used in vehicle and equipment operation and maintenance;
- Soaps or solvents used in vehicle or equipment washing; or
- Discharges from dewatering activities, including discharges from dewatering of trenches and excavations, unless managed by appropriate controls.

The general NPDES permit does not relieve the permit holder of the obligation to obtain other approvals, permits, licenses, or documents of sanction which may be required by other KDHE programs and other federal, state, or local government agencies.

KDHE reserves the right to deny coverage under this NPDES general permit to applicants for stormwater runoff from construction or earth disturbing activities at sites which have contaminated soils which will be disturbed by the construction activity or have contaminated groundwater which could be discharged by the construction activity.

#### STORMWATER POLLUTION PREVENTION PLAN REQUIREMENTS AND GUIDELINES:

The NPDES general permit requires the permittee to develop a Storm Water Pollution Prevention Plan (SWP2 Plan) and specifies general requirements and the contents of the SWP2 Plan. The general requirements specified for a complete SWP2 Plan include:

- Preparation under the supervision of a Kansas licensed professional engineer, geologist, architect, or landscape architect or a Certified Professional in Erosion and Sediment Control;

- Select, install, utilize, operate, and maintain effective BMPs in accordance with best professional judgment, generally accepted and scientifically defensible guidance, and the concepts and methods described in Environmental Protection Agency (EPA) document number EPA 832-R-92-005, entitled *Stormwater Management for Construction Activities - Developing Pollution Prevention Plans and Best Management Practices*, published in September, 1992 and EPA document number EPA 833-R-06-004 entitled *Developing your Stormwater Pollution Prevention Plan, A Guide for Construction Sites* published in May, 2007. The permittee is not limited to the BMPs provided in the EPA guidance manuals. Other pollution or erosion controls must utilize practices with similar effectiveness, and the permittee should develop BMPs with the goal of site specific effectiveness in mind;
- Conditions which require a modification or amendment of the SWP2 Plan;
- The contents of the SWP2 Plan providing site description and best management practices addressing temporary and permanent, structural and non-structural BMPs, sedimentation basins, and permanent (post-construction) stormwater management;
- The SWP2 plan must provide controls that, at a minimum, are designed, installed, and maintained to:
  1. Control stormwater volume and velocity within the site to minimize soil erosion;
  2. Control stormwater discharges, including both peak flow rates and total stormwater volume, to minimize erosion at outlets and to minimize downstream channel and stream bank erosion;
  3. Minimize the amount of soil exposed during construction activity;
  4. Minimize the disturbance of steep slopes (slopes of forty (40) percent or greater, see definitions);
  5. Minimize sediment discharges from the site. The design, installation and maintenance of erosion and sediment controls must address factors such as the amount, frequency, intensity and duration of precipitation, the nature of resulting stormwater runoff, and soil characteristics, including the range of soil particle sizes expected to be present on the site;
  6. Provide and maintain natural buffers around surface waters, direct stormwater to vegetated areas to increase sediment removal and maximize stormwater infiltration, unless infeasible;
  7. Minimize soil compaction and, unless infeasible, preserve topsoil;
  8. Minimize discharges from stream crossings by immediately stabilizing the areas from bank to bank and providing appropriate controls to minimize any stream scour and providing down-gradient sediment control from bore pit stockpiles;
  9. Control discharges from sediment or soil stockpiles;
  10. Minimize the generation of dust through the application of water or other dust suppression techniques;
  11. Minimize off-site tracking of soils by utilizing wheel washing facilities or an appropriately designed construction entrance and exit. Wash waters must be treated in a sediment basin or alternative control that provides equivalent or better treatment prior to discharge. Off-site track out shall be cleaned up at the end of each work day. Sites with contaminated soils must provide wheel washing and tanks for holding of the wash water, if feasible, or other equivalent practices if the vehicles can track the contaminated soil from the site;

12. Provide structures to divert significant flows of stormwater from off-site drainage, if feasible;
13. Reduce erosion of concentrated flows of stormwater in channelized drainage through use of velocity dissipation devices, (e.g., check dams, riprap, and wattles) and installation of channel liners, (e.g., riprap, geotextiles, and erosion control blankets);
14. Provide storm drain inlet protection (such as rock bags) for inlets down gradient of sites not fully stabilized or where home construction activity will soon be started;
15. Provide additional requirements to immediately initiate steep slope stabilization;
16. Initiate temporary or permanent stabilization on portions of the construction site where soil disturbing activities have or will cease for 14 days or longer and complete the stabilization within 21 days.
17. Provide additional site management BMPs as necessary to prevent contamination of stormwater runoff such as:
  - Minimize the discharge of pollutants from equipment and vehicle washing, wheel wash water, and other wash waters. Wash waters must be free of detergents, soaps, or solvents and must be treated in a sediment basin or alternative control that provides equivalent or better treatment prior to discharge;
  - Minimize the exposure of building materials, building products, construction wastes, trash, landscape materials, fertilizers, pesticides, herbicides, detergents, sanitary waste and other materials present on the site to precipitation and to stormwater flows;
  - Minimize the discharge of pollutants from spills and leaks and implement chemical spill and leak prevention and response procedures;
  - Require the contractor to provide solid and hazardous waste management including: providing trash containers and regular site clean up for proper disposal of solid waste such as scrap building material, product/material shipping waste, food containers, and cups; and providing containers and proper disposal for waste paints, solvents, and cleaning compounds;
  - Require portable toilets for proper disposal of sanitary sewage;
  - Require storing construction materials away from drainage courses and low areas;
  - Require containment berms and drip pans at fuel and liquid storage tanks and containers; and
  - Provide procedures to eliminate or minimize the potential to discharge environmental contaminants from contaminated soil or groundwater.
18. Provide for periodic site inspection at least every 14 days and site inspections of BMPs within 24 hours of the end of a 0.5 inch or greater precipitation event; and
19. Provide for corrective action of any identified site control deficiencies within 7 calendar days of the inspection.

#### GENERAL REQUIREMENTS OF THIS PERMIT

To be covered under the permit, the permittee is required to comply with the following general requirements:

Records;

Duty to comply;

Duty to provide information and access;

Signatory requirements;

Spill reporting of chemical spills, hazardous substances and oil, sewage, wastes and other miscellaneous substances;

Different permitting requirements for non-compliance or non-qualifying discharges;

Transfer or partial transfer of ownership; and

Individual lot certifications to address compliance with permit requirements during subdivision developments.

#### STANDARD CONDITIONS

The permit also addresses the following standard conditions:

Proper operation and maintenance;

Severability;

Permit modifications and terminations;

Change in discharge;

Discovery during construction;

Removed substances;

Civil, criminal and administrative penalties;

Property rights;

Duty to mitigate; and

Bypasses.

#### FORMS AND ADMINISTRATIVE PROCEDURES

Once issued, to be covered under this permit, the owner/operator is required to submit a complete request for coverage under this NPDES general permit and receive Authorization under this NPDES general permit from KDHE prior to removing vegetation or disturbing soil at the site.

A complete request for Authorization to discharge stormwater runoff from construction activities under this NPDES general permit must be submitted or the request will not be processed. A complete request for Authorization includes:

- An NOI form (construction stormwater) with all information provided and an original authorized signature;
- A check for the first year of the annual permit fee made payable to "KDHE". Per K.A.R. 28-16-56 et seq., as amended, the current annual permit fee for this NPDES general permit is \$60;
- An area map delineating the boundary of the construction site and the general topographic features of the

area at least one mile beyond the construction site boundary;

- A detailed site plan showing the existing contours, proposed contours, erosion and sediment control features, and locations where stormwater runoff leaves the construction site;
- A narrative summary of the erosion and sediment control(s) and other best management practices that will be utilized to eliminate or minimize contamination of stormwater runoff from the construction activities;
- Design calculations for any proposed sedimentation basin, if applicable; and
- Copies of letters or e-mails documenting coordination with appropriate local, state or federal agencies.

The NOI and supporting documentation needs to be submitted at least 60 days prior to start of construction activities. Submittal of a Notice of Intent (NOI) to discharge Stormwater Runoff from Construction Activities and all supporting documentation indicated above, even 60 days after submittal, does not provide automatic coverage under the NPDES general permit. Coverage under this NPDES general permit begins when KDHE authorizes the discharge of stormwater runoff from construction activities identified in the NOI and supporting documentation.

To maintain the Authorization to discharge stormwater runoff from construction activities, the permittee is required to achieve and maintain compliance with the current general permit requirements and pay the annual permit fee.

Other support documents include an Executive Summary, Notice of Intent Instructions, a Notice of Termination; Notice of Transfer of Owner/Operator; Rainfall Erosivity Waiver Application and guidance; Individual Lot Certification; and Definitions and Acronyms.

Additional reference material will be available to supplement the instructional material provided in the program documents on KDHE's Stormwater Website at [www.kdheks.gov/stormwater](http://www.kdheks.gov/stormwater).

#### WAIVERS

The permit offers the rainfall erosivity waiver for sites with construction activities disturbing between one and five acres with a short duration having a small potential of rainfall events causing sediment and other pollutants to be discharged. The requirements of the general NPDES permit may be waived for these construction activities if the rainfall erosivity factor (R) is less than 5 during the construction period.

#### CHANGES MADE TO PERMIT AFTER PUBLIC NOTICE AND PRIOR TO ISSUANCE

The following changes were made in response to comments received and from further review of the Stormwater Runoff from Construction Activities General Permit placed on public notice December 28, 2011 prior to the March 2, 2012 issuance.

1. Executive Summary - First paragraph under "How to Obtain a Permit" we have modified the fourth sentence as follows: "The NOI ~~must~~ *needs to* be sent to KDHE at least 60 days before starting construction." Comments were received that there was confusion the "must" provided a situation of non-compliance if the construction was authorized and soil disturbing activities began before 60 days after submittal. This change should resolve this confusion.
2. General Permit, Page 2 under Authorized Activity Description we have modified a sentence as follows: "To obtain authorization to discharge stormwater runoff, the owner or operator of a construction site ~~shall~~ *needs to* submit a Notice of Intent (NOI) for the discharge of stormwater runoff from construction activities at least 60 days prior to removing vegetation or disturbing soil at the site to *avoid unplanned delays in the start of construction.*" As similarly indicated above, comments were received that there was confusion the "shall" provided a situation of non-



compliance if the construction was authorized and soil disturbing activities began before 60 days after submittal. We also added language to clarify our intent that the permittee needs to plan for a reasonable review and approval period prior to scheduling the start of soil disturbing activities.

3. General Permit, Page 3, Part 1, fourth paragraph, we have replaced “will” with “may” in the second sentence and deleted the word “financial” in the third sentence. These changes allow subdivision projects to submit only one NOI when the developer accepts responsibility for all aspects of the subdivision project including the streets and utilities.
4. General Permit Page 6, Part 3, paragraph 10 the words “road and bridge” were removed as any construction activity near streams needs to be controlled.
5. General Permit, Page 7, Part 4, first paragraph after bulleted paragraphs, we have modified the first sentence from, “The NOI and supporting documentation shall be submitted at least 60 days prior to start of construction activities.” to the following: “KDHE recommends the NOI and supporting documentation be submitted at least 60 days prior to start of construction activities to avoid unplanned delays in the start of construction.” Reasons for the change are the same as explained in paragraphs 1 and 2 above.
6. General Permit page 8, Part 7.1, end of second paragraph - added “or” prior to “silt fence”.
7. General Permit, Page 10, Part 7.2.7 Sedimentation Basins the third sentence in the second paragraph has been changed as follows: “Where large areas of undisturbed or stabilized areas can drain into the sediment basin or in certain areas of Western Kansas, alternative design detention volumes can be used.” This change is made in conjunction with a change in the alternative basin design sizing detailed in the definition of Sediment Basin Design Criteria in the “Acronyms and Definitions” found in Appendix 1 of the General Permit.
8. General Permit, Page 11, Part 7.2.8 we have included the words “If applicable,” to the beginning of the paragraph. This change clarifies inclusion of permanent stormwater controls into stormwater pollution prevention plans only if they will be provided.
9. General Permit, Page 12, Part 7.3 second paragraph we have removed “provide” at two locations to reduce any confusion that these changes do not need to be submitted to KDHE for formal amendment authorization.
10. General Permit, Page 12, Part 7.3 third paragraph we have added “and when determined as significant by KDHE upon notification of” to the sentence clause that now reads, “and when determined as significant by KDHE upon notification of any discovery of contaminated soil or groundwater, potential historic or archeological sites, or threatened or endangered species during the construction that was not identified and addressed in the SWP2 plan.” This change will allow minor discoveries to not have to amend the SWP2 plan.
11. General Permit, Page 12, Part 7.3 third paragraph we have added, “on the added or discovered areas” to the sentence that now reads “Soil disturbing activity shall not occur on the added or discovered areas until Authorization from KDHE is provided.”
12. General Permit page 15, Part 11.1 middle of first paragraph - added a period “.” after “permit” and deleted return to start new paragraph.
13. General Permit, Page 15, Part 11.1 in the first paragraph we have included “if applicable” after “...adequate laboratory controls” and changed “include” to “includes”.
14. General Permit, Page 16, Part 11.5, third paragraph, we have added, “modified or” in front of “amended” to reflect the change addressed in paragraph 10 above.

15. General Permit page 17, Endnote 1, second paragraph - deleted "Contactor's Certification Form" as it was eliminated from the permit packet.
16. General Permit Page 17 Endnote 4 - added the following note: "At the time of this general NPDES permit issuance there were no Critical Water Quality Management Areas established. The stormwater website at: [www.kdheks.gov/stormwater](http://www.kdheks.gov/stormwater) includes the most current list should an area be established."
17. In the Definitions and Acronyms section page 5 of 11 under "Sediment Basin Design Criteria" the entire section has been revised to allow easier calculation of the detention volume and to allow a reduced size for lower rainfall areas of Western Kansas as follows:  
"Sediment Basin Design Criteria" are requirements for sedimentation structures to be designed to provide a detention volume at least 3,600 cubic feet of storage per acre of total area draining into the sediment basin. KDHE may approve alternate storage volumes if a significant portion of undisturbed area drains to the sediment basin or for areas in Western Kansas where the 2 year, 30 minute rain event is less than 1.3 inches. Runoff calculations based on a detention volume from a 2 year, 30 minute rainfall event with a minimum runoff coefficient of 0.77 for disturbed acreage and appropriate runoff coefficients for undisturbed acreage must be provided to document and justify the revised storage volume requirement.  
  
Sediment basins must be designed to provide the required storage volume below the overflow weir or spillway that allows mass volume of discharge. Designs shall include outlet structures that withdraw water from the surface unless infeasible."
18. Notice of Intent Instructions - Page 2 added the following parenthetical note: (At the time of this general NPDES permit issuance there were no CWQMA established. The stormwater website at: [www.kdheks.gov/stormwater](http://www.kdheks.gov/stormwater) includes the most current list should an area be established.)
19. Added a new termination checklist item to Notice of Termination Form as follows: "The project was cancelled prior to initiating construction activities. The project construction will not be actively pursued under the current authorization for coverage. It is understood that should the project be revived in the future, a new complete application packet with first year annual permit fee will need to be submitted."
20. Notice of Termination Form - Changed "Name:" under Signature to the following:  
Name and Official Title: \_\_\_\_\_  
(Please print or type)
21. Notice of Termination Form - Added "For official Use Only:" and a signature block indicating Accepted: Y/N, Reviewer, & Date to bottom right corner of Notice of Termination form.
22. Other minor modifications of typos, additions of new permit number, and changes for consistency have also been made though out the permit and forms.